

"A Historic Past"



"A Bright Future"

CITY OF DELAWARE CITY
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**MINUTES
CITY OF DELAWARE CITY
MAYOR AND COUNCIL MEETING AND
PUBLIC HEARING
APRIL 18, 2016**

CALL TO ORDER – PUBLIC HEARING

The Honorable Mayor Green called to order the Public Hearing at 6:00 pm. The following Council Members were present: Konkus, Titus, Malinowski and Barrett. Also present were Mayor Green, City Manager Cathcart, City Secretary Gwynn, and Christina Thompson for City Solicitor Walton,

**ORDINANCE 16-0321-01 RELATING TO SIGNS: ORDINANCE TO AMEND
CITY CODE SECTION 46-3, AND CERTAIN SIGN AND OUTDOOR
ADVERTISING REGULATIONS IN CHAPTER 46, ARTICLE X**

City Manager Cathcart explained that this ordinance was introduced at the last meeting. City Solicitor Walton drafted this ordinance in response to a Supreme Court Ruling on signs. The changes that were made would bring the City into compliance with the Supreme Court Ruling. There were no questions or comments from the public or the Council.

RECESS PUBLIC HEARING

Mayor Green said that he would recess the Public Hearing until 6:25 pm, as there were no questions or comments from the public. The Public Hearing was recessed at 6:02 pm.

RECONVENE PUBLIC HEARING

Mayor Green reconvened the Public Hearing at 6:25 pm. He listed the items on the Public Hearing agenda and asked if there were any questions or comments from the Council or audience. There were none.

ADJOURN PUBLIC HEARING

Council Member Konkus made a motion to adjourn the Public Hearing. Council Member Titus seconded the motion. A vote was taken, all ayes, motion carried. The Public Hearing was adjourned at 6:29 pm.

CALL TO ORDER – MAYOR AND COUNCIL MEETING

The Honorable Mayor Green called to order the regular Meeting of the Mayor and Council at 6:30 pm.

PLEDGE OF ALLEGIANCE

Mayor Green led the Pledge of Allegiance to the Flag.

ROLL CALL

Present were The Honorable Mayor Green and Council Members Konkus, Titus, Malinowski and Barrett. City Manager Cathcart, City Treasurer Hartman, City Secretary Gwynn, Police Chief Baylor, and Christina Thompson for City Solicitor Walton were also in attendance.

ACTION UPON THE TREASURER'S REPORT

City Treasurer Hartman presented the March 2016 Treasurer's Report. A question was asked and answered regarding one line item. *Council Member Titus made a motion to approve the March 2016 Treasurer's Report, subject to audit. Council Member Konkus seconded the motion. A vote was taken, all ayes, motion carried.*

ACTION UPON THE MINUTES OF THE PREVIOUS MEETING

Council Member Barrett made a motion to approve the minutes of the March 21, 2016 Mayor and Council meeting, as written. Council Member Malinowski seconded the motion. A vote was taken, all ayes, motion carried.

POLICE REPORT

Police Chief Baylor gave the statistics for the month of March 2016 and reported the following:

- There were 5 “local fugitives”, which means these individuals, who were wanted by law enforcement agencies, were apprehended due to traffic stops. This is a proactive use of the force.
- There were 4 “assists other agency”, which means the Delaware City PD assisted the State or County Police.
- There were 5 “checks on welfare”, which means the Delaware City PD was contacted by someone requesting the police to check on a juvenile, elderly person, etc. that they haven’t heard from.
- There were 6 domestic incidents, 2 suspicious persons and 3 suspicious vehicles. The Chief said he expects these numbers to increase now that the weather is warmer.
- Between March 10th and March 16th, a suspect ripped the screen to a window located on the side of the residence in the 200 block of Clinton Street. No other signs of an entry attempt were discovered and the suspect never gained entry into the residence.
- On March 18th, sometime between 8:00 am and 11:00 am, a burglary occurred at an apartment in the 200 block of Adams Street. There were no signs of forced entry into the building, but there were signs of forced entry into a bedroom of one of the units. Personal items were taken from the bedroom. The police have a suspect in mind. It was not a random burglary.
- On March 23rd a victim used their ATM card at the WSFS. They left their card in the machine. The person who followed the victim noticed the card in the machine and made a withdrawal from the victim’s account. The police are working with WSFS Security on this investigation. The ATM’s have cameras so a photo was taken of the person making the withdrawal. Chief Baylor reminded the attendees to make sure they remove their cards from ATM’s.
- The police have an active investigation in which at least three or four 12 year old kids threatened to kill another 12 year old. The threat occurred via a social media message, with a picture of a weapon. The police are working with the school and the parents, as they know the kids involved. The suspects do not live in Delaware City. Chief Baylor reminded everyone with children and/or grandchildren to monitor kids when they are on the internet.
- Reminder – street sweeping is beginning on 4/19. He said the police don’t want to have to tow any cars, so it would be great if everyone moved their cars on the dates requested.

Mayor Green commended Officer Wysock for an excellent job when he was confronted by a person who asked the officer to shoot him. The individual later disrobed and walked into the Delaware River. Officer Wysock called for assistance and the person was apprehended and taken to the Christiana

Hospital where he was treated for hypothermia and given a psychological evaluation.

CITY SOLICITOR'S REPORT

Christina Thompson, acting on behalf of City Solicitor Walton, reported that they have been working on the postponement and rescheduling of the general election, as well as the scheduling of the special election with respect to the annexation of the Fort DuPont Complex. They have also been working on code enforcement actions and the sign ordinance with the proposed amendments.

CITY MANAGER'S REPORT

City Manager Cathcart reported the following:

- The Blueprint Communities had the Kickoff on March 24th that included the first training session. There was a Delaware City Team meeting on March 31st and the second training session was held on April 11th.
- The City is exploring digitizing the various blueprints and drawings of the City-owned buildings and the utility infrastructure. Have met with one company, to date, to obtain pricing. The original blue prints will be wrapped, preserved and stored.
- Starting the budget preparation this week and will be sending out a date for the Mayor and Council Budget workshop shortly.
- The City hosted a public presentation on Fort DuPont, presented by Jeff Randol, and the Fifth Street Bridge replacement, presented by Tim Kelly of the Army Corp of Engineers, last Wednesday. It was well attended with about 100 people present. There is another Fort DuPont presentation scheduled for April 27, 2016, at 6:30 pm in the Community Center.

General Meetings

- Planning Commission
- Fort DuPont Redevelopment Board Meeting
- AUCC Friends Board Meeting

Project Updates

- Branch Canal Trail: Trail is still scheduled to open at the end of May.
- Dragon Run Tide Gate/Dike Replacement: In the home stretch of completion.
- Washington Street Flood Mitigation: In the permit phase with most DNREC permits received.
- Fifth Street Bridge Replacement: Scheduled to start between mid-September and the beginning of October. Water traffic under the bridge will probably not be permitted during the construction.

Discussion followed.

APPOINTMENTS, ANNOUNCEMENTS, COMMUNICATIONS

None

REPORTS OF COMMISSIONS, COMMITTEES AND ORGANIZATIONS

Main Street – Tim Konkus, Main Street President, reported the following:

- The Cool Cars will return to Delaware City on Saturday.
- Main Street has hired David Doss as project manager to work with Fort DuPont, DelDOT, DNREC and Delaware City to build a trail between the current C & D Canal and the Delaware City Branch Canal.
- The Townwide Yard Sale will be held Saturday, April 30th and Sunday, May 1st.
- Music in the Park will start on April 30th and run for 18 consecutive Saturdays. Interested parties can give a contribution to help fund Music in the Park, by going to the Main Street website.

Delaware City Day – Mayor Green said he would check with Vice Mayor Johnson to see if he is going to chair the Delaware City Day Committee. He said he would let the City staff know within two days so they know where the mail and phone calls should be forwarded.

Delaware City Fire Company- Mike McMichaels reported that there will be a 5K run on Saturday at 9:00 am, with the proceeds going to the Cancer Society in memory of Ivy Costango. The starting place is the United Methodist Church on Clinton Street.

The fire company will be participating in a state-wide open house from 10:00 am to 2:00 pm on Saturday, May 14th. They will be recruiting new members and cadets.

OLD BUSINESS

Second Reading and Adoption of Ordinance 16-0321-01 Relating to Signs
Council Member Malinowski said that pending further recommendation of changes to the Sign Ordinance; he moved to table the Sign Ordinance Amendment. Council Member Barrett seconded the motion. A roll call vote was taken, all ayes, motion carried.

NEW BUSINESS

NPDES Annual Report Approval

City Manager Cathcart said this report is required by DNREC and is submitted by the City each year. *Council Member Barrett made a motion to approve for submission the 2016 NPDES Annual Report. Council Member Malinowski seconded the motion. A roll call vote was taken, all ayes, motion carried.*

Set Dates for Special Meeting to Approve FY17 Annual Tax Assessment and Annual Board of Appeals

City Manager Cathcart said there was already a Special Meeting set for May 10th in relation to the annexation. He said that meeting could be used to review the certification of the tax rolls. Then at the regular Mayor and Council meeting on May 16th, the Council would sit as the Board of Appeals to hear any appeals to that certification. *Council Member Titus made a motion to approve the dates for the special meeting and the Annual Board of Appeals. Council Member Konkus seconded the motion. A vote was taken, all ayes, motion carried. Discussion followed.*

COUNCIL COMMENTS

Council Member Barrett – No Report

Council Member Malinowski – Attended a Fort DuPont Redevelopment Board meeting.

Council Member Titus – No Report

Council Member Konkus – No Report

Mayor Green – Reported the following:

- The progress made at the ball field. He thanked citizens and corporations for donations of both time and money. The renovations to the field have cost approximately \$50,000. The score board has been installed.
- He said he attended the Meet the Candidate night.
- He said he does rounds in the City, talking to people, about two to three times a week.
- He also reported a recent case of graffiti at the Seventh Street Park. He said it was appalling. He thanked Joe Tharp and Franny Ramos and others who scrubbed the graffiti off. He said they got it off before the kids went to the park to play.

CITIZENS COMMENTS

Mike McMichaels, 209 Washington Street, said he saw the graffiti. He asked who that should be reported to. The Mayor replied that it should be reported to the police. City Manager Cathcart said the City would be responsible for cleaning up the graffiti if the volunteers hadn't done it.

Mr. McMichaels said he was concerned about the traffic that would be generated if the City were to annex the Fort DuPont complex. City Manager Cathcart told him that if the City did not annex the property, the redevelopment would still occur, but the City would have no input regarding the development. He said a traffic study would be required by DelDOT. Mr. McMichaels said he worries because so many kids play in the streets. City Manager Cathcart reminded Mr. McMichaels that whether the City annexes the property or not, the traffic would be there.

EXECUTIVE SESSION

City Manager Cathcart said the executive session would be rescheduled, as City Solicitor Walton was on vacation. The City Solicitor wanted to be present in order to explain some legal observations and possible problems in regards to the Jefferson Street paper street. City Solicitor Walton asked if it could be rescheduled for next month.

ADJOURNMENT

Council Member Konkus made a motion to adjourn the Mayor and Council Meeting. Council Member Titus seconded the motion. A vote was taken, all ayes, motion carried. The meeting was adjourned at 7:00 pm.

Respectfully submitted,

Dawn K. Gwynn

City Secretary